

Remarks

Claims 1-13 were previously pending. In this response, Claims 1, 2, and 7 are canceled. Claims 3-6 and claims 8-12 are currently amended. New claims 14-21 are presented in this response.

Support for Claim Amendments

For “A polypeptide of from 6 to 20 amino acids capable of inhibiting the activation of factor X in the presence of coagulation factor VIIa, said polypeptide comprising “ in Claims 3 and 8, support can at least be found on Page 3, lines 18-24 of the specification as originally filed.

For “a polypeptide of from 9 to 20 amino acids capable of inhibiting the activation of factor X in the presence of coagulation factor VIIa, said polypeptide comprising SEQ ID NO:9, provided that Xaa of SEQ ID NO:9 is not cysteine” in claims 5 and 12, support can at least be found on Page 4, lines 2 -4 and Page 4, lines 27-29 of the specification as originally filed.

For “wherein said polypeptide further comprises a covalently attached detectable moiety” in new claims 14,16, 18, and 20, support can at least be found on: Page 5, lines 34 to Page 6, line 3; and Page 16, lines 30-31 of the specification as originally filed.

For “wherein said detectable moiety is radioactive or fluorescent” in new claims 15, 17, 19, and 21, support can at least be found on Page 4, lines 31-32, and Page 5, lines 34 to Page 6, line 3 of the specification as originally filed.

Rejections under 35 U.S.C.§112, First Paragraph

Claim 1 was rejected under 35 U.S.C.§112 for failure to meet the written description requirement. This rejection has been rendered moot by the cancellation of claim 1 in this response.

Rejections under 35 U.S.C. §102

In the preceding Office action, claim 1 was rejected under 35 U.S.C. §102(b) over Evans et al. Claims 1, 2, and 7 were also rejected under 35 U.S.C. §102(b) over Griffin et al. and over Clayberger et al. These rejections have been rendered moot by the cancellation of claims 1, 2, and 7 in this response.

Double Patenting Rejection

In the preceding Office action, claim 1 was also rejected on the grounds of non-statutory obviousness-type double patenting. This rejection has been rendered moot by the cancellation of claim 1 in this response.

Claim Objections

Examiner indicated in the preceding Office Action that the subject matter of Claims 3-6 and 8-13 was allowable but objected to these claims as being dependent on a rejected base claim. This objection has been addressed by rewriting claims 3 and 8 in independent form and including the limitations of the now canceled base claims. Currently amended claims 3 and 8 now specify "A polypeptide of from 6 to 20 amino acids" rather than "A polypeptide of from 4 to 20 amino acids" since claims 3 and 8 reference the six amino acid peptide sequence of SEQ ID NO:5. Currently amended claims 5 and 12 now specify "a polypeptide of from 9 to 20 amino acids" since claims 5 and 12 reference the nine amino acid peptide sequence of SEQ ID NO:9. Support for peptides of up to 20 amino acids comprising SEQ IDS NO:9 can at least be found on Page 4, lines 27-29 of the specification as originally filed. Finally, new claims 14-21 depend upon the claims previously indicated to be allowable. The applicant thus believes that new claims 14-21 are allowable as they incorporate all limitations of claims indicated as allowable by the Examiner in the preceding Office Action.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant respectfully requests that the Examiner reconsider and withdraw each rejection. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that a personal communication will expedite prosecution of this application, he is invited to telephone the undersigned agent at the number provided.

Prompt and favorable consideration of this Response is respectfully requested.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Charles P. Romano", written over a horizontal line.

Charles P. Romano, Reg. No. 56,991
Thompson Coburn LLP
One US Bank Plaza
St. Louis, Missouri 63101-1693
(314) 552-6255
(314) 552-7255 (fax)

Dated: February 20, 2006